

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI (ST. LOUIS)**

RADHA GEISMANN, M.D., P.C.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:14-cv-00472-CDP
)	
ZOCDOC, INC.,)	
)	
Defendant.)	
)	
)	

SECOND DECLARATION OF OLIVER KHARRAZ, MD

I, Oliver Kharraz, MD, declare under penalty of perjury as follows:

1. I am Chief Operating Officer (“COO”) of ZocDoc, Inc. (“ZocDoc”). I am submitting this declaration on ZocDoc’s behalf in support of its Reply in Support of ZocDoc’s Combined Motion to Transfer, Dismiss, or Stay.

2. I am one of ZocDoc’s founders and have been with ZocDoc since its inception in 2007.

3. As COO, I have personal knowledge of ZocDoc’s business operations, including its practices and procedures, and am familiar with the allegations made in the Complaint. In that capacity, I will be able to testify as to the content of the fax marketing materials and as to how the fax marketing campaign was conducted.

4. Current ZocDoc employee Ryan Lupo could testify as to his role in the fax marketing campaign bearing his name, including calls he received in response to the faxes.

5. Former ZocDoc employee Spenser Feldstein could testify as to his role in the fax marketing campaign bearing his name, including calls he received in response to the faxes. On information and belief, Feldstein resides in the New York City area, but ZocDoc has no contact with Feldstein and has no control over him.

6. Former ZocDoc employee Benjamin Berman was involved in the fax marketing campaign and could testify as to how the fax marketing campaign was conducted. Berman

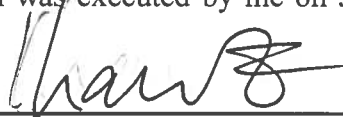
resides in the New York City area, but ZocDoc has no control over Berman.

7. ZocDoc employees located at the New York location (including core management employees crucial to the operation of the company) could testify as to the process for gathering and confirming fax numbers.

8. ZocDoc used Intellicomm as its fax broadcaster. Intellicomm is in King of Prussia, PA, approximately 100 miles from New York City.

9. ZocDoc did not merely purchase a fax list from a third-party list provider and send faxes to the entire list. ZocDoc compiled its fax list from a variety of sources and before sending any faxes, ZocDoc's standard practice was to call the entities on its contact list and confirm fax numbers or request fax numbers it did not already have.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This declaration was executed by me on June 12, 2014 in New York, NY.



Oliver Kharraz, MD